

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WESCO DISTRIBUTION, INC.,

Plaintiff,

-against-

TUTOR PERINI CORPORATION,
TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA, FEDERAL
INSURANCE COMPANY, FIDELITY AND
DEPOSIT COMPANY OF MARYLAND,
ZURICH AMERICAN INSURANCE
COMPANY, SAFECO INSURANCE
COMPANY OF AMERICA, EATON
ELECTRIC, INC. AND GARY EATON,

Defendants.
-----X

Case No.1:16-cv-6743-NGG-CLP

**STIPULATION OF DISMISSAL
WITH PREJUDICE AS TO ALL
CLAIMS AGAINST ALL
DEFENDANTS OTHER THAN
CLAIMS AGAINST EATON
ELECTRIC INC AND GARY
EATON**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for all of the parties who have appeared herein, pursuant to Federal Rule of Civil Procedure 41 (a), that whereas no party is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, all claims asserted against all Defendants other than Defendants Eaton Electric, Inc. and Gary Eaton, and all counterclaims related to the claims asserted in the action that could have been brought, are hereby dismissed with prejudice and without costs to any party.

[signatures on next page]

Dated: New York, New York
January 6, 2017

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